

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BEVERLY JO LITTLE,

Plaintiff,

v.

**Case No.: 2:18-cv-1488
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This case is before the Court to consider the *Report and Recommendation* issued by the Magistrate Judge on November 28, 2018. The Magistrate Judge recommended that Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* be denied. (*See Report and Recommendation*, Doc. 2). This matter is now before the Court on Plaintiff's Objections to the Magistrate Judge's *Report and Recommendation*. (Doc. 4). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff objects to the Magistrate Judge's conclusions regarding Plaintiff's finances and argues that paying the one-time filing fee of \$400 would cause an undue hardship on her. Plaintiff states that she inadvertently omitted expenses for food and gas from her prior calculations.

This objection presents the same issue already presented to, and carefully considered by, the Magistrate Judge in the *Report and Recommendation*. The only new evidence Plaintiff submitted was expenses for food and gas. However, Plaintiff's income has not changed, nor has

there been any change to the cash she has on hand. As the Magistrate Judge stated in the Report and Recommendation, “paying the filing fee must be more than a mere hardship.” (Doc. 2 at 1).

Based on the aforementioned and the detailed *Report and Recommendation*, the Court finds that Plaintiff’s objection has been thoroughly considered and is hereby **OVERRULED**. Accordingly, the *Report and Recommendation*, Document 2, is **ADOPTED** and **AFFIRMED**. Plaintiff’s Motion for Leave to Proceed *In Forma Pauperis* is **DENIED**. Plaintiff must pay the \$400 filing fee within 30 days of the date of this Order or this action will be dismissed.

The Clerk shall remove Documents 1 and 2 from the Court’s pending motions list.

IT IS SO ORDERED.

DATE: January 9, 2019

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT